6 OTHER CEQA SECTIONS

6.1 SIGNIFICANT UNAVOIDABLE IMPACTS

6.1.1 STATE CEQA GUIDELINES

CEQA §21100(b)(2)(A) provides that an EIR shall include a detailed statement setting forth "in a separate section: any significant effect on the environment that cannot be avoided if the project is implemented." Accordingly, this section provides a summary of significant environmental impacts of the project that cannot be mitigated to a less-than-significant level.

6.1.2 SIGNIFICANT UNAVOIDABLE IMPACTS OF THE PROJECT

Chapter 4 provides a description of the potential environmental impacts of the project and recommends various mitigation measures to reduce impacts, to the extent feasible. After implementation of the recommended mitigation measures, most of the impacts associated with the project would be reduced to a less-than-significant level. The following impacts are considered significant and unavoidable; that is, no feasible mitigation is available to reduce the project's impacts to a less-than-significant level. Chapter 7 considers alternatives to the project that may be capable of reducing or avoiding some of these impacts.

PROJECT IMPACTS

CEQA Section 21100(b)(2)(A) provides that an EIR shall include a detailed statement setting forth "in a separate section: any significant effect on the environment that cannot be avoided if the project is implemented." Accordingly, this section provides a summary of significant and potentially significant environmental impacts of the proposed project that cannot be mitigated to less-than-significant levels. Significant unavoidable environmental impacts of the proposed project include:

Impact 4.1-f: Visual Character and Quality (Corte Madera Viewpoint, Stacked Design Option). Under the stacked design option, CDC would construct relatively tall buildings along the shoreline of San Francisco Bay. These buildings when viewed from the Corte Madera viewpoint would add a new dominant feature in the overall viewshed that would not necessarily blend in with existing structures on the site. This would be a significant visual impact. Mitigation recommended would reduce the visual prominence of the buildings; however, the project would result in a substantial change in the viewshed. No other feasible mitigation is available. This would be a significant and unavoidable impact of the project.

Impact 4.1-h: Visual Character and Quality (Larkspur Ferry Terminal Viewpoint, Stacked Design Option). Under the stacked design option, CDC would construct relatively tall building along the shoreline of San Francisco Bay. These buildings when viewed from the Larkspur Ferry Terminal viewpoint would add a new dominant feature in the overall viewshed and would block existing available views of the architecturally distinct SQSP. Buildings would be plain and blockish, and would not have the visual character of the old SQSP buildings. This would be a significant visual impact. Mitigation recommended would reduce the visual prominence of the buildings; however, the project would result in a substantial change in the viewshed. No other feasible mitigation is available. This would be a significant and unavoidable impact of the project.

Impact 4.1-i: Visual Character and Quality (Larkspur Ferry Terminal Viewpoint, Stacked Design Option, Nighttime Light and Glare). Because the stacked design option would block nighttime views of the existing old SQSP buildings and would add a new lighting source to the site, this combination of

factors would result in a significant effect on the nighttime viewshed from the Larkspur Ferry Terminal. Mitigation recommended would reduce the visual prominence of the buildings; however, the project would result in a substantial change in the viewshed. No other feasible mitigation is available. This would be a significant and unavoidable impact of the project.

Impact 4.1-j: Visual Character and Quality (Ferry Boat Viewshed, Single Level Design Option). Under the single level design option, the project would construct new facilities along the shoreline of San Francisco Bay. Although these facilities would not interfere with the San Quentin Ridgeline, would not block views of the undeveloped hillside areas north of the site, and would not block views of the existing SQSP cell blocks the project would introduce a new dominant structure to the viewshed The structure would have plain institutional architecture. This would be a significant visual impact. Mitigation recommended would reduce the visual prominence of the buildings; however, the project would result in a substantial change in the viewshed. No other feasible mitigation is available. This would be a significant and unavoidable impact of the project.

Impact 4.1-l: Visual Character and Quality (Ferry Boat Viewshed, Stacked Design Option). Under the stacked design option, the project would include new facilities along the shoreline of San Francisco Bay. These facilities would block a large part of the viewshed and would introduce a new dominant structure to the viewshed. This would be a significant visual impact. Mitigation recommended would reduce the visual prominence of the buildings; however, the project would result in a substantial change in the viewshed. No other feasible mitigation is available. This would be a significant and unavoidable impact of the project.

Impact 4.1-m: Visual Character and Quality (Ferry Boat Viewshed, Stacked Design Option, Nighttime Light and Glare). Although the project would not result in substantial exposure to new nighttime lighting from the Larkspur ferry viewshed under the stacked design option (because of limited ferry operations at night), nighttime light and glare impacts would be substantial and adverse due to the combination of increased lighting and view blockage from the taller structures. Therefore, this impact would be significant. Mitigation recommended would reduce the visual prominence of the buildings; however, the project would result in a substantial change in the viewshed. No other feasible mitigation is available. This would be a significant and unavoidable impact of the project.

Impact 4.1-n: Visual Character and Quality (Sir Francis Drake Boulevard (north) Viewpoint, Single Level Design Option). The proposed single level design option would change the viewshed along Sir Francis Drake Boulevard along the north of the site (peek views to the site). All onsite houses would be removed. Dairy Hill and scattered buildings in the middle ground of the viewshed would be removed. Low-lying prison facilities with plain, unremarkable architecture would be constructed. The background viewshed would be beneficially affected, because removal of Dairy Hill would open up views to the Bay. Foreground and middle ground views would be substantially altered by replacing the existing viewshed with prison facilities. This would be a significant impact. Mitigation recommended would reduce the visual prominence of the buildings; however, the project would result in a substantial change in the viewshed. No other feasible mitigation is available. This would be a significant and unavoidable impact of the project.

Impact 4.1-o: Visual Character and Quality (Sir Francis Drake Boulevard (north) Viewpoint, Single Level Design Option, Nighttime Light and Glare). Nighttime lighting under the single level design option would alter the intensity of lighting on the site as well as the nighttime viewshed along Sir Francis Drake Boulevard north of the site. This change would be significant. Mitigation recommended would reduce the visual prominence of the buildings; however, the project would result in a substantial change in the viewshed. No other feasible mitigation is available. This would be a significant and unavoidable impact of the project.

Impact 4.1-p: Visual Character and Quality (Sir Francis Drake Boulevard (west) Viewpoint, Single Level Design Option). The proposed single level design option would change the viewshed along Sir Francis Drake Boulevard as drivers approach from the west. Dairy Hill, which dominates the viewshed, would be removed. Low-lying prison facilities with plain, unremarkable architecture would be constructed. The background viewshed would be beneficially affected, because removal of Dairy Hill would open up views of the old SQSP buildings and the Bay. Foreground views would be substantially altered by replacing the existing viewshed with prison facilities. This is a significant impact. Mitigation recommended would reduce the visual prominence of the buildings; however, the project would result in a substantial change in the viewshed. No other feasible mitigation is available. This would be a significant and unavoidable impact of the project.

Impact 4.1-q: Visual Character and Quality (Sir Francis Drake Boulevard (west) Viewpoint, Single Level Design Option, Nighttime Light and Glare). Because the intensity of nighttime lighting on the project site and the nighttime visual character would substantially change with implementation of the project, the single level design option would result in significant nighttime lighting impacts from the Sir Francis Drake Boulevard (west) viewpoint. Mitigation recommended would reduce the visual prominence of the buildings; however, the project would result in a substantial change in the viewshed. No other feasible mitigation is available. This would be a significant and unavoidable impact of the project.

Impact 4.1-r: Visual Character and Quality (Sir Francis Drake Boulevard (north) Viewpoint, Stacked Design Option). The proposed stacked design option would change the viewshed along Sir Francis Drake Boulevard along the north of the site (peek views to the site). Dairy Hill and scattered buildings in the middle ground of the viewshed would be removed. Mid-rise prison facilities with plain, unremarkable architecture would be constructed. Foreground and middle ground views would be substantially altered by replacing the existing viewshed with prison facilities. This is a significant impact. Mitigation recommended would reduce the visual prominence of the buildings; however, the project would result in a substantial change in the viewshed. No other feasible mitigation is available. This would be a significant and unavoidable impact of the project.

Impact 4.1-s: Visual Character and Quality (Sir Francis Drake Boulevard (north) Viewpoint, Stacked Design Option, Nighttime Light and Glare). Nighttime lighting under the stacked design option would alter the intensity of lighting on the site as well as the nighttime viewshed along Sir Francis Drake Boulevard north of the site. This change would be significant. Mitigation recommended would reduce the visual prominence of the buildings; however, the project would result in a substantial change in the viewshed. No other feasible mitigation is available. This would be a significant and unavoidable impact of the project.

Impact 4.1-t: Visual Character and Quality (Sir Francis Drake Boulevard (west) Viewpoint, Stacked Design Option). Under the stacked design option, the project would change the development characteristics of the site by placing large buildings in an organized pattern on the site. Because the project buildings would dominate the viewshed with large, unremarkable architectural character and would block some views of existing SQSP facilities and open water areas of San Francisco Bay, the project would result in a significant daytime visual impact from the Sir Francis Drake Boulevard (west) viewpoint). Mitigation recommended would reduce the visual prominence of the buildings; however, the project would result in a substantial change in the viewshed. No other feasible mitigation is available. This would be a significant and unavoidable impact of the project.

Impact 4.1-u: Visual Character and Quality (Sir Francis Drake Boulevard (west) Viewpoint, Stacked Design Option, Nighttime Light and Glare). Because the intensity of nighttime lighting on the project the nighttime visual character would substantially change with implementation of the project (under the stacked design option), the project would result in significant nighttime visual impacts from

the Sir Francis Drake Boulevard (west) viewpoint. Mitigation recommended would reduce the visual prominence of the buildings; however, the project would result in a substantial change in the viewshed. No other feasible mitigation is available. This would be a significant and unavoidable impact of the project.

Impact 4.5-b: Effects on Known Important Cultural Resources (Single level Design Option: Schoolhouse). The single-level design option would result in the removal of the schoolhouse. Because the schoolhouse appears eligible for listing as a historic resource in the CRHR, removal of this building would be a significant impact.

Mitigation recommended would either appropriately document and record the conditions of the schoolhouse building, relocate of the building to preserve the architectural features that potentially qualify this building for historic status. However, even with implementation of recommended mitigation, this impact would not be reduced to a less-than-significant level because the building would either be demolished and removed with no preservation, or the building, although relocated, would be removed from the neighborhood setting, which has contributed to its potential historical status. No other feasible mitigation is available. This impact would be significant and unavoidable.

Impact 4.5-c: Effects on Known Cultural Resources (Single-Level Design: Staff Residences). Under the single level design option, 57 staff residences would be removed. If SHPO deems that these residences form an historic district, their removal would be a significant impact, and CDC would implement the same mitigation measures as under 4.5-b above.

This recommended mitigation, if needed, would also appropriately document and record the conditions of the residences. If relocation of some or all of the buildings is possible, the features could be preserved, but they would not be within their same historic context (relocation of this many houses on other parts of SQSP is not possible due to lack of space) because they would be removed from their neighborhood. No other feasible mitigation is available. This impact would be significant and unavoidable.

Impact 4.11-g: Effects on Water Demand and Supply. SQSP will reduce its overall demand for water by (1) restricting the total number of toilet flushes per day per inmate at the CIC and (2) decreasing the gallons-per-flush by using an automated flush valve. Automated flush valves will be installed on 1,158 toilets at the CIC. These valves will be used to regulate the frequency of toilet flushes, reducing the potential number of flushes per day by approximately 50%. In addition, the flush valves will use only 1.9 gallons per flush. These improvements are estimated to result in a water savings of approximately 20–60 AFY. The project's water demands would be reduced to 167–207AFY, which is still above MMWD's water demand threshold. No additional mitigation is available to reduce water demands. This would be a significant and unavoidable impact.

Impact 4.11-h: Demand for New Water Supply Facilities. MMWD's potential construction of new water supply facilities would likely have significant effects on the environment. Mitigation for many of those impacts will be identified by MMWD during its environmental review process. The decisions regarding mitigation measures will be made by MMWD and affected regulatory agencies. If new water entitlements are required for CIC, CDC will be required to pay connection fees to MMWD. As one of many users of MMWD water, it is presumed that these connection fees, as well as monthly service fees, would translate to CDC's fair share contribution to MMWD's construction of new region-serving infrastructure, including mitigation.

The impacts of the proposed desalination plant have not been definitively determined, but clearly have the potential to be significant. Without additional information it can only be concluded that some impacts may be significant and unavoidable. If feasible mitigation which would be adopted by MMWD, is not

effective in reducing impacts to a less-than-significant level, then the project's contribution to the need to construct the desalination plant would result in significant and unavoidable impacts.

CUMULATIVE IMPACTS

Visual Resources. Implementation of the project (under both design options) would result in substantial changes to local views in the surrounding area including views from Larkspur Ferry and areas along Sir Francis Drake Boulevard. Even with implementation of mitigation to reduce the project visual impacts, the visual character of the site would be substantially altered, and this would contribute to a cumulatively more urbanized viewshed. No other mitigation is available to reduce this impact. Therefore, this would be a cumulatively considerable and unavoidable visual impact.

Air Quality. Construction-related emissions associated with the project are expected to be temporary and would be significant. Although the project's impacts would be temporary and would be reduced through implementation mitigation measures committed to by CDC, the project would contribute to the continued exceedance of regional thresholds for ROG, NO_x, and PM_{10}. The project in combination with other cumulative projects would cumulatively contribute to the continued exceedance state and federal ambient air quality standards.

The project's operational air quality impacts would be cumulatively less-than-significant because the project would not exceed established regulatory thresholds. Although implementation of region-wide mitigation measures (recommended in the BAAQMD Air Quality Attainment Plan) including programs to improve carpooling and ridesharing, would reduce the project's contribution to regional pollutant loads, the project would contribute to the continued exceedance of state and federal ambient air quality standards for ROG, NO_X, and PM_{10}. This would be a cumulatively significant and unavoidable impact.

Water Supplies. Although cumulative water demands at SQSP would be less than current water demands (after planned installation of retrofits at existing SQSP), the project would result in a net increase in water demands of 167 and 207 AFY over the future SQSP baseline. This would contribute to the further exacerbation of MMWD's operational yield shortfall. Therefore, the project would result in a cumulatively significant impact on water supplies. The project has incorporated all feasible mitigation to reduce project-related impacts on available water supplies. No other mitigation is available to reduce this impact. Therefore, this would be a cumulatively considerable and unavoidable impact.

6.2 GROWTH INDUCEMENT

CEQA §2100(b)(5) specifies that growth-inducing impacts of a project must be addressed in an EIR. State CEQA Guidelines §15126(d) states that a proposed project is growth-inducing if it could "foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." Included in the definition are projects that would remove obstacles to population growth. Examples of growth-inducing actions include developing water, wastewater, fire, or other types of services in previously unserved areas, extending transportation routes into previously undeveloped areas, and establishing major new employment opportunities. The following is a summary of the direct and indirect growth-inducing impacts that could result with implementation of the project.

6.2.1 GROWTH-INDUCING IMPACTS OF THE PROJECT

Project construction could foster some limited short-term economic growth associated with construction employment opportunities and operation of the CIC would foster some long-term economic growth associated with the new permanent employment opportunities (648 positions). Operation of the CIC would foster long-term growth in three ways: 1) direct growth related to employment at the prison, 2)

growth related to induced employment resulting from jobs created to serve prison employees, and 3) growth resulting from prison expenditures.

CDC estimates that each correctional job creates approximately 0.5 indirect, or secondary jobs, through payrolls and the purchase of local goods and services. Based on the wide geographic distribution of existing SQSP employee residences and given that the majority of induced jobs would require skill levels that could be provided by existing residents of the region (i.e., Marin County), induced employment is not anticipated to have a substantial effect on population growth. The project would not substantially increase population growth in the surrounding region because it would not construct new housing, it would not remove barriers to population growth in the vicinity through the construction of new infrastructure, and it would be located within the grounds of SQSP. The project would require the extension or expansion of some local infrastructure (water and wastewater) facilities; however, these improvements would be dedicated exclusively to serve the CIC and entire SQSP. The project is unlikely to tax existing community service facilities on a county and community level because of the wide geographic distribution of SQSP employee residences.

Water demand for the project is projected to be 227 acre-feet per year. The project would connect into the Marin Municipal Water District's (MMWD) existing water supply line in Sir Francis Drake Boulevard. Minor infrastructure improvements on the project site and within Sir Francis Drake Boulevard (i.e., upgrade of approximately 3,000 linear feet of existing water supply line) would occur with project implementation. Staff of MMWD has indicated that water supplies are available to serve the project. The indirect increase in water demands as a result of the in-migration of new SQSP employees relocating to communities in the Bay Area is not anticipated to substantially affect the infrastructure or water supplies of any one water purveyor such that expansion of existing infrastructure or new water entitlements would be required.

All wastewater generated on the project site would be conveyed to existing Ross Valley Sanitary District (RVSD) conveyance facilities and ultimately conveyed to the Central Marin Sanitary District (CMSD) for treatment and discharge to San Francisco Bay. The project is anticipated to generate 1.1 million gallons per day of wastewater (average dry weather flow). Existing facilities are available or are proposed as part of the project to adequately accommodate project-related wastewater flows. Staff of RVSD and CMSD indicated that conveyance and treatment capacity is available to serve the project. The indirect increase wastewater flows as a result of the in-migration of new SQSP employees relocating to communities in the Bay Area is not anticipated to substantially affect the infrastructure or treatment capacity of any one wastewater treatment entity such that expansion of existing infrastructure would be required.

Although the project would foster some economic and population growth associated with new employment opportunities at the CIC, this growth would not substantially affect the ability of public services providers to serve their existing customers, nor would it require the construction of new facilities to serve the project. This growth would be widely dispersed throughout several counties and communities and would not result in an increased demand for housing in these areas. The population and employment growth expected with implementation of the project would not exceed the projections of local general plans in the communities surrounding the SQSP.